

Exhibit 16

1

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

-----x

NORTHSTAR AVIATION, LLC, et al., :

Plaintiffs/Counterclaim Defendants, : Civil Action

vs. : No. 1:18cv191-

ALDEN BURT ALBERTO, : TSE-JFA

Defendant/Counterclaim Plaintiff. :

-----x

VIDEOTAPED DEPOSITION OF SALEM ALDHAHERI

McLean, Virginia

Wednesday, November 7, 2018

9:42 a.m.

Reported by: Elizabeth Mingione, RPR

Job No. : 44472

1 **to fill the clearance form.**

2 Q. Okay. Do you remember that you received an
3 e-mail from Mr. Agha before all of that took place?

4 **A. I always get e-mails. Yes.**

5 Q. Okay. Let's mark this as an exhibit.

6 - - -

7 (A document was marked as Deposition
8 Exhibit 4.)

9 - - -

10 BY MR. DEITCH:

11 Q. Okay. I'm sorry. What exhibit is this?
12 Four.

13 You have had placed before you Exhibit 4.
14 Do you recognize that these are -- that the e-mail at
15 the bottom is an e-mail sent from Mr. Agha to you on
16 August 1, 2017?

17 **A. Yes.**

18 Q. And does this -- does this refresh your
19 recollection that Mr. Agha was terminated in 2017?

20 **A. Yes.**

21 Q. And in this e-mail Mr. Agha -- Mr. Agha
22 refers to you as Habibi. What does it mean when

1 someone refers to another person as Habibi?

2 **A. He's Sicilian, and it's -- Habibi is like**
3 **My Dear.**

4 **Q. It's a friendly greeting, correct?**

5 **A. Yes. Yes. I worked with him for more than**
6 **five years. Definitely he's going to be friendly.**

7 **Q. And after telling you that he is being**
8 **terminated, Mr. Agha says, "I felt that you need to**
9 **know this information, especially if you were going to**
10 **go ahead with your plans."**

11 Do you see where it says that?

12 **A. (Witness nods.)**

13 **Q. You know what plans he was referring to,**
14 **correct?**

15 **A. I know this e-mail hundred percent. Reno**
16 **during -- he knows about this e-mail. And I was in**
17 **Los Angeles and I contacted Reno about this e-mail. I**
18 **called him over the phone.**

19 **Q. You contacted Mr. Alberto about this**
20 **e-mail?**

21 **A. Yes. Yes. Before I got this e-mail, Hani**
22 **Faraq was talking that Reno is trying to take money**

1 from the company. So he wanted to tell me about this
2 information.

3 And I heard a lot from him, and I didn't
4 mind what he was saying, because I was expecting him
5 to be fired. Anyone who's fired, he would try to
6 cause a problem. And I told him that I talked to Reno
7 especially, personally, and I told him there is some
8 people, one of them is Marwan and Hani, they would
9 like to damage your image in the company.

10 And he sent me this e-mail. Marwan, before
11 that he tried to talk to me, and he wanted me to --
12 oh, okay. That there either is money that is
13 withdrawn from the account, and that the manager is
14 the one who's withdrawing this money.

15 I told Reno about that. I told the people
16 who are -- that they will get fired are trying to
17 damage your image in the company. And I told him you
18 have to be careful about yourself. And when Marwan
19 sent me this e-mail, and I met Reno in Abu Dhabi after
20 I talked to him over the phone when I was in Los
21 Angeles, he came and I told him there's some paperwork
22 that was sent to me. If you want to see those

1 documents, I have it in my car. He said just shred
2 them and don't worry.

3 Q. So what you are saying is that when
4 Mr. Agha e-mailed you, just you, and referred to your
5 plans, he was really talking about his plans?

6 A. Okay. So --

7 MR. DEITCH: Can you just translate what
8 he's saying?

9 INTERPRETER: I'm very sorry. I'm sorry.
10 Because I don't understand what he was saying, so I am
11 trying to know what he was saying.

12 A. Okay. So these -- all these issues come
13 from Hani and Marwan. Okay. And they wanted me to
14 take this image, the bad image to -- and tell this to
15 the sheikh. And there was an attachment with this
16 e-mail. They wanted me to take it to the sheikh. And
17 I didn't do that.

18 And I didn't do that because I thought
19 because they were fired, so this is a response. And
20 then it -- later on, I realized that what they were
21 saying happened in the company.

22 MR. DEITCH: Okay. Why don't we take a

1 break.

2 VIDEOGRAPHER: The time is 1:58 p.m. We
3 are going off the record.

4 - - -

5 (Recessed at 1:58 p.m.)

6 (Reconvened at 2:19 p.m.)

7 - - -

8 VIDEOGRAPHER: The time is 2:19. We are
9 back on the record.

10 BY MR. DEITCH:

11 Q. Sir, just before we took the break, you
12 testified that later you realized that certain
13 information that you say you got from Mr. Agha and
14 Mr. Faraq actually was correct.

15 What were you referring to?

16 **A. Did you say it was true information or no?**

17 Q. My question is -- I'm asking you to just to
18 clarify. You said that later you realized this was
19 true. And I'm asking you what it was that you
20 realized later was true?

21 **A. This case right now.**

22 Q. Okay. What part of it?

1 A. The company has a contract. And when the
2 contract is finished after July, there was a bonus
3 that was paid. Or we can say in general in 2017 there
4 was a bonus that was paid to employees, which was very
5 high amounts of money to employees. And the company
6 didn't have a contract or business, only the main
7 major contract.

8 And when this contract was supposed to --
9 after we finished working on this contract, this money
10 was supposed to be saved for the company to be able to
11 get more work and more business to be effective
12 operation. And I was not supposed to pay all this
13 high amounts of bonuses and make the -- and this is
14 taken from the budget of the company. And I have more
15 than 20 or 30 employees and their families. And we
16 didn't -- we didn't even have enough money to pay them
17 end of service severance or anything if we stopped
18 working as a company.

19 Q. When you are talking about bonuses in 2017,
20 are you talking about the bonuses that were paid in
21 July 2017?

22 A. I'm talking in general of 2017.

1 Q. Okay. Well, Mr. Agha -- you testified
2 before that Mr. Agha gave you some information with
3 that e-mail in August of 2017, correct?

4 A. He gave me this e-mail with an attachment.
5 And I didn't pay any -- I didn't pay any mind to the
6 attachment. And you can see that I didn't even answer
7 this e-mail, didn't even reply to this e-mail.

8 Q. Well, sir, my question is the information
9 that you are saying you later realized was true, was
10 that the information -- was that in the attachment to
11 this e-mail?

12 A. He was saying that there's money that is
13 going out of the company, not only in this e-mail when
14 Marwan sent it, even Hani when he was talking to me;
15 it is very obvious that the company is going down.

16 Q. Okay. The information that you say that
17 you got from Mr. Agha or Mr. Faraq, was it before
18 August 1 of 2017 that you got the information from
19 them?

20 A. Before the e-mail, they talked to me. Hani
21 was talking to me.

22 Q. Okay. Do you agree that before August of

1 2017, Mr. Agha and Mr. Faraq could not tell you about
2 bonuses that people took later in 2017?

3 **A. I don't remember anything about dates.**

4 Q. Okay. They weren't talking about future
5 bonuses. They were telling you about, you say,
6 bonuses that had already been taken by Mr. Alberto and
7 other people, right?

8 **A. They were talking about 2017, and the**
9 **problem, financial problem that we have in the**
10 **company.**

11 Q. Let's mark this as an exhibit.

12 - - -

13 (A document was marked as Deposition
14 Exhibit 5.)

15 - - -

16 BY MR. DEITCH:

17 Q. Mr. Aldhaheri, you have been handed what's
18 been marked as Exhibit 5. This spreadsheet is part of
19 the information that Marwan Agha gave to you, isn't
20 it?

21 **A. I don't know. He gave me a presentation.**

22 Q. Let's mark this as an exhibit. So,

1 actually, before we go on to another exhibit, have you
2 seen these figures before?

3 **A. I don't remember.**

4 Q. Okay. These were the bonuses that Mr. Agha
5 and Mr. Farag were talking about, weren't they?

6 MR. STREIT: Objection to form.

7 **A. They were talking in general about the**
8 **money of the company. They were not talking about**
9 **this specifically. They were talking about the**
10 **financial position of the company in 2017.**

11 Q. Do you remember that Mr. Agha showed you
12 these figures?

13 **A. I don't remember.**

14 MR. DEITCH: Okay. Let's mark this as an
15 exhibit.

16 - - -

17 (A document was marked as Deposition
18 Exhibit 6.)

19 - - -

20 BY MR. DEITCH:

21 Q. Okay. You have been handed what's been
22 marked as Exhibit 6.

1 So do you see that on the first page of
2 Exhibit 6 is outlined a plan of changes to the
3 company?

4 **A. Good.**

5 Q. Do you agree that -- have you seen this
6 document before?

7 **A. I don't remember that I saw something like**
8 **this.**

9 Q. Okay. Do you remember that Mr. Agha talked
10 to you about a plan to get rid of Mr. Alberto and
11 other staff, and how it would save money for the
12 company?

13 MR. STREIT: Objection to form.

14 **A. Nobody was a decision maker or they can**
15 **make a change. They were just scared that the money**
16 **of the company will go away and there will be a big**
17 **damage done to the company.**

18 Q. And because of that concern, Mr. Agha
19 wanted you to go speak to Dr. Bin Saif about it,
20 didn't he?

21 **A. They wanted me to tell him that there will**
22 **be a financial problem in the company. Part of the**

1 information is the presentation that he gave me.

2 Hani, Hani Faraq was doing the same thing before he
3 get terminated out of the company. They were doing
4 the same thing.

5 All this information, I never believed any
6 of this information because I expected they are saying
7 this because this is a response to them being fired.
8 And to explain more as I said before, I remember
9 exactly that I talked to Mr. Reno Alberto when I was
10 in Los Angeles. And I remember when was I was
11 standing -- when I was talking to him, and I told him
12 about the problem that was going on.

13 And those people are getting fired in the
14 future, so they are trying to -- they would like to
15 ruin your image.

16 Q. Look back at Exhibit 5, please. Do you see
17 that there's a line -- line -- it's on line 11 that
18 says July 17. And it has payments to Mr. Alberto and
19 to Rotana Jet of \$4,540,000. Do you see that?

20 Okay. That payment to Rotana Jet of \$4.5
21 million is the payment by the check that we talked
22 about earlier today, right?

1 MR. STREIT: Object to the form.

2 A. There is lot of checks that I gave to the
3 chairman because Reno told me to do that. This is
4 like we can say profits that went to them. And the
5 numbers that went to the sheikh, I can never open the
6 envelope and see how much was in the envelope, the
7 number in the envelope.

8 Q. Okay. Did you ever hear Dr. Ahmed complain
9 that the amount of money he got in July 2017 was
10 excessive?

11 A. No, I didn't.

12 Q. Okay. Let's mark this as the next exhibit
13 then.

14 - - -

15 (A document was marked as Deposition
16 Exhibit 7.)

17 - - -

18 BY MR. DEITCH:

19 Q. Okay. You have been handed what's been
20 marked as Exhibit 7. Is this the presentation that --
21 well, strike that.

22 This is the presentation that you said Mr.

1 Agha sent to you, correct?

2 MR. STREIT: Object to the form.

3 A. I said he sent me a presentation, but I'm
4 not sure if this is the same one, because I didn't
5 even care about it. And I told Reno about it. And I
6 told him I have these documents in my car, when he was
7 in Abu Dhabi. And I -- and I asked him if he wants me
8 to present this documents to him; he said shred those
9 documents.

10 Q. Okay. Do you know if anyone at all ever
11 presented this to Dr. Ahmed?

12 A. I don't know if they presented it to him
13 without my knowledge.

14 Q. Okay. Let's mark this as the next exhibit.

15 - - -

16 (A document was marked as Deposition
17 Exhibit 8.)

18 - - -

19 BY MR. DEITCH:

20 Q. Sir, you have been handed what's been
21 marked as Exhibit 8.

22 Is Exhibit 8 the same as Exhibit 7, except

1 it's in Arabic rather than in English?

2 A. If this is the same presentation that
3 Marwan sent, if it is the same one, I don't remember
4 if it's the same one. At first he send it to me in
5 English. And then he came to me and came to other
6 employees in the company and said that Reno is taking
7 money from the company. And I was ignoring all this
8 talk.

9 And I said this is because they are firing
10 him. This is just a response for being fired.
11 Reaction. So this would be from him.

12 I asked him to make the same presentation
13 Arabic language, so I would just waste his time till
14 he finish his paperwork and get fired. Yeah. Finish
15 the paperwork and --

16 Q. So was the attachment to Exhibit 4, his
17 August 1 e-mail, was it any of these documents that
18 we've marked as Exhibit 5 and 6 and 7 and 8?

19 A. I don't remember.

20 Q. Okay.

21 A. Because I didn't pay any attention to it.

22 Q. Okay. And do you know that the Arabic

1 version of this presentation, Exhibit 8, do you know
2 whether anybody ever presented it to Dr. Ahmed?

3 A. No.

4 Q. So I --

5 A. If they went without me knowing this, I
6 will not know. If they went to the sheikh, I will not
7 know.

8 Q. Do you know, did Mr. Faraq speak frequently
9 with Dr. Ahmed?

10 A. The sheikh said that Hani at one time
11 wanted to talk with him. And I told Reno that this
12 happened.

13 Q. And do you know did Mr. Agha frequently
14 speak with Dr. Ahmed?

15 A. I don't know.

16 Q. Sir, when -- when Mr. Agha said in his
17 e-mail to you on August 1, 2017, that he wanted to let
18 you know about this, especially if you were going to
19 go ahead with your plans, that's because Mr. Agha had
20 already spoken to you about these issues, hadn't he?

21 A. As I said before, they were talking to me,
22 not only to me, they were talking to other employees

1 in the company about this. And I have no relation
2 with this plan, or the presentation or all of this,
3 because I never had this information previously. And
4 then when he was telling me go ahead with the plan,
5 the plan was to take this information to the sheikh.

6 Q. Sir, if Mr. Agha said that he prepared
7 these presentations at your direction, would he be
8 speaking untruthfully?

9 MR. STREIT: Object to the form.

10 A. This is not true. I don't have this
11 information, and I cannot get those ideas. I didn't
12 get those ideas. And I wasn't able to get this
13 information.

14 Q. Okay.

15 A. And didn't have any access to this
16 information. And my relation with -- with the CEO was
17 more than a relation between a CEO and an employee.
18 And this is why I went to him and I talked to him
19 about that.

20 Q. Isn't it true that Mr. Agha came to you
21 with this concern, and you asked him to prepare a
22 presentation you could take to Dr. Ahmed?

1 A. I didn't ask him for any presentation. And
2 this is not right, because I don't have any
3 information about those travel expenses. And I cannot
4 decide and take decisions in the company. And I don't
5 know how much should they save. I am not the decision
6 maker, and I don't have any access to this
7 information.

8 Q. So when you asked Mr. Agha to translate it
9 into Arabic, you were just doing what?

10 A. I just wanted to waste his time so he can
11 finish his paperwork and then he can leave the
12 company, because they wanted to fire him before Hani
13 was fired. And he knew about that. And he knew he's
14 going to leave the company in two or three months.

15 Q. And when you asked him to translate it into
16 Arabic, did you tell him that you were going to
17 present it to Dr. Ahmed?

18 A. Dr. Ahmed can know whatever is written here
19 in English or in Arabic. And I told him to write it
20 in Arabic language. I wanted to waste his time. And
21 I wanted him to be confident that I will go to the
22 sheikh and tell him, so he would not talk to the

1 **others about what's going on.**

2 Q. Are you -- have you seen the complaint, the
3 amended complaint that was filed in this case?

4 A. **I don't remember.**

5 Q. Okay. Are you familiar -- are you aware
6 that one of the accusations in this case is that Mr.
7 Alberto was trying to steal equipment from NorthStar
8 Aviation?

9 A. **I knew that there's some equipment that
10 were going to leave Abu Dhabi and come here to the
11 United States. And this is -- this was per the
12 guidelines of Terry.**

13 Q. Okay. And at the time in October 20 --
14 excuse me. In October 2017, you were aware that a
15 shipping container was being brought to load up with
16 that equipment?

17 A. **The container gets into a hangar. And the
18 hangar is at the airport. It's impossible for
19 anything that comes out of the airport, unless they
20 contact me in my department -- for me or anybody who's
21 worked on that -- me or any of my assistants to
22 process this. So I knew that.**

1 C E R T I F I C A T E

2 UNITED STATES OF AMERICA)

3 ss:

4 COMMONWEALTH OF VIRGINIA)

5 I, ELIZABETH MINGIONE, Notary Public within
6 and for the Commonwealth of Virginia do hereby
7 certify:

8 That the witness whose deposition is
9 hereinbefore set forth was duly sworn, and that the
10 within transcript is a true record of the testimony
11 given by such witness.

12 I further certify that I am not related to
13 any of the parties to this action by blood or marriage
14 and that I am in no way interested in the outcome of
15 this matter.

16 IN WITNESS WHEREOF, I have hereunto set my
17 hand this _____ day of _____, 20____.

18

19

20 Notary Registration No. 104119

21 My Commission Expires:

22 May 31, 2019

ERRATA SHEET FOR THE TRANSCRIPT OF:

Caption: Northstar Aviation, LLC, et al. v. Alden Burt Alberto

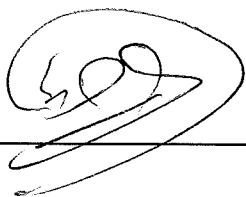
Deponent: Salem Aldhaheer

Dep. Date: November 7, 2018

I wish to make the following changes for the following reasons:

Pg.:Ln.	Now Reads	Should Read	Reasons Therefor
14:18	"I was responsible of a part of the army"	"I was responsible for a department in the army"	Translation error
16:8	Renaldo	Reno	Translation error
20:19	Alkabi	Alkaabi	Translation error
21:16	RT	R2	Translation error
22:4	Armed Forces	Air Force	Translation error
39:10	This is privacy	This is private	Translation error
43:13	Dissoluted	Dissolved	Translation error
47:7	Preliminary contract	First contract	Translation error
47:8-9	The company that would supply	The vendors that supplied	Translation error
47:15	I told them	I told him	Translation error
50:4	Or for aviation	And for aviation	Translation error
50:5	Supplies	Defusers	Translation error
55:15	I have very	I travel a lot	Translation error
58:15	The information	The employment report	Translation error
58:17	I'm sorry, I misspoke	Interpreter: I'm sorry, I misspoke	Transcription error
59:5	The right name	The right translation	Translation error
61:8	And I had to --	And I had to give it to him	Transcription error
61:9	The company would --	The company would give him	Transcription error
61:12	This happened it	This happened I	Transcription error
61:12	--it--	Do anything	Transcription error

<u>Pg.:Ln.</u>	<u>Now Reads</u>	<u>Should Read</u>	<u>Reasons Therefor</u>
63:20	Not in order	Not in the right order	Translation error
67:3	Fundamental contract	Power of attorney	Translation error
67:3	Foundation	Foundational	Translation error
70:20	I don't remember he	I don't remember if he	Translation error
70:21	I gave it to him	Or if I gave it to him	Translation error
75:7	He would try	He would help to	Translation error
75:10	Sometimes I had Roumi	Before I had Roumi	Translation error
75:10	Sometimes I had Khalid	Now I have Khalid	Translation error
77:8	Tell to Alberto that	Tell Alberto how	Translation error
80:21	He	Ali	Translation error
83:11	Right now	Today	Translation error
84:19	Register	Sponsor	Translation error
91:20	At the airport	Stopped at the airport	Translation error
107:19-20	He/he's	She/She's	Translation error
108:1	Allison	Alexa	Translation error
147:4	The airplanes	The helicopters	Translation error
147:7	Got out of the company	Got within the company	Translation error
147:13	Coming from the Iraq	Going for the Iraq	Translation error



ESS

SIGNATURE OF THE WITNES

this 12 day of Dec, 2018.